

1 purchased with public funds with the sole intent
2 that the land be protected in its natural state
3 for all time. To run a train through it would be
4 a violation of public trust.

5 I've seen much of Coe. I know that it's
6 an extraordinary place. A place where there's
7 elk and deer and raccoons, foxes, coyotes,
8 mountain lions. There's woodlands of oak forest,
9 fury falcons, golden eagles, rugged ridges,
10 flower field meadows, and waterfalls; all
11 precious things that they just don't make any
12 more.

13 But simply, the value of the land
14 protected in Coe Park to the people of the State
15 of California is far greater than any value that
16 the high-speed rail will have. And if the
17 high-speed rail -- what would I do if the
18 high-speed rail goes through Coe Park? It's the
19 same thing you should do; it's the same thing
20 everybody in the State of California should do;
21 that is, they should cry.

22 MR. PETRILLO: Excuse me. One question.
23 One of the alternatives is Don Edwards. Is your
24 feelings about that the same, about Don Edwards?

25 BARRY BRECKLING: I don't know about Don

PH-SJ028-1
cont

1 Edwards. I'm only concerned with Henry Coe.

2 MR. PETRILLO: Michael Sanchez followed by
3 Charles Luckhardt.

PH-SJ029

4 MICHAEL SANCHEZ: Good afternoon, Chair
5 and members. My name is Michael Sanchez. I am a
6 native of Santa Clara County, and I am a member
7 of the Sierra Club.

PH-SJ029-1

8 I strongly oppose any route through Henry
9 Willard Coe and the Orestimba Wilderness due to
10 its short range and long-term impact. It also
11 sets a dangerous precedence to run a train
12 through a wilderness area that's protected by
13 law.

14 I also have ridden Amtrak in the past.
15 And I'm one of those overpaid high-tech workers
16 in this valley. And I have to really consider
17 what it costs me to ride a train from San Jose to
18 Sacramento or even from San Jose to Seattle. And
19 I really think the numbers and the return on
20 investment are a little optimistic. And I urge
21 you to reconsider those numbers and study them
22 further. Thank you very much.

PH-SJ029-2

23 MR. PETRILLO: Thank you. Charles
24 Luckhardt followed by Samuel Downs.

PH-SJ030

25 CHARLES LUCKHARDT: My name is Charles

PH-SJ030-1

1 Luckhardt. Our family owns a ranch and has owned
2 it since 1939. And the route -- and the ranch
3 would be bisected by the northern-most route
4 you're studying that goes through the San Antoine
5 Valley. We treasure the peace and quiet and the
6 animals; and others have talked about them. So
7 let me give you just a little piece for you EIR
8 folks.

PH-SJ030-1
cont

9 I wonder if they've thought about what
10 would happen if there was a train derailment or
11 wreck out in the wilderness? How are they going
12 to get help out there? There's no police
13 coverage. There's very little fire coverage.

PH-SJ030-2

14 What if there's a wild fire? The current
15 procedure is -- in this area is to let it burn
16 and hope it burns out. And I'm sure during that
17 period, the trains would have to stop.

18 One thing that makes fighting a wild fire
19 more difficult with the right of way there is
20 that I'm sure you will have it fenced with high
21 impermeable fences; and in fighting a wild fire,
22 the jeep roads and ridges are important for the
23 tractors and fire equipment to get to the fire
24 and isolate it.

25 Another concern I have is game crossings

PH-SJ030-3

1 and access to the divided parts of our land. I
2 suspect you're not going to put nearly enough,
3 from our perspective, so that we can get to each
4 side of our ranch and to the county road that is
5 nearby.

6 Finally, water. We have just seasonal
7 creeks back there, and water where we are is a
8 problem. There's one really good spring, but
9 it's near where you're going to tunnel. And I
10 know when you tunnel, it's like a mine, the water
11 comes down there. We had an earthquake back in
12 the '60s and one spring stopped and another one
13 started. And I would hate to have our spring run
14 down at your tunnels just as much as you would
15 hate to have it there. Thank you.

16 MR. PETRILLO: Thank you very much.
17 Samuel Downs followed by Brian Schmidt.

PH-SJ031 18 SAMUEL DOWNS: Hi. I would just like to
19 relate my feelings on why I don't support the
20 Henry Coe planned route.

21 I first visited the park when I was a Boy
22 Scout many years ago. And since I've returned
23 almost every year to go backpacking. One of the
24 things I do enjoy most about the park is the
25 quiet when you are out in the back country. And,

PH-SJ030-3
cont

PH-SJ031-1

1 granted, I haven't explored the northern regions
2 where the planned route goes through, I've been
3 close to there. And I don't think once the
4 construction begins that there will be much quiet
5 out there any more.

6 I would like to read a quote from the
7 monument placed in the park shortly after its
8 donation by Sada Coe.

9 "May these white hills bring peace to the
10 souls of those who are receiving it." That's it.

11 MR. PETRILLO: Thank you very much. Brian
12 Schmidt followed by John Wilkinson.

PH-SJ032

13 BRIAN SCHMIDT: Good afternoon. My name
14 to Brian Schmidt. I am the Santa Clara County
15 Legislative Advocate for the Committee for Green
16 Foothills. The Committee for Green Foothills is
17 dedicated to open space and natural resource
18 protection in San Mateo and Santa Clara Counties.
19 We have over a thousand members in those two
20 counties and elsewhere in the state.

21 I have come to comment about the failure
22 to include the Altamont Pass route as one of the
23 alternatives to be considered in the range of
24 alternatives. We support consideration to the
25 Altamont Pass route as one of the alternatives to

PH-SJ031-I
cont

PH-SJ032-I

1 be analyzed in the draft EIR.

2 At this time The Committee for Green
3 Foothills is not taking a position on the best
4 alignment but rather than the EIR needs to
5 provide the further analysis required to
6 determine what the best alignment actually is.

7 Some proponents of the southern routes
8 have suggested there will be environmental
9 impacts that will result from the Altamont Pass
10 alignment. Now, if the Altamont Pass had been
11 included in the draft EIR, we would be in a
12 position to analyze that and try to understand
13 which alignment has the best environmental
14 output. But that isn't the case we have in front
15 of us.

16 There appears instead to be a disconnect
17 where southern route proponents are saying
18 Altamont Pass route has environmental impact, but
19 don't analyze them; don't go and find out what
20 they are. That disconnect is not a good way to
21 do environmental planning.

22 The Committee for Green Foothills asks
23 that the draft EIR be revised and recirculated to
24 include the Altamont Pass route. A failure to do
25 so can render this CEQA process legally

PH-SJ032-1
cont

1 inadequate.

2 And I would be happy to answer any
3 questions.

4 MR. PETRILLO: I want to point out that
5 the Altamont Pass route was excluded, not for
6 environmental reasons, but for operational
7 reasons in the scope of the study. So those are
8 really the issues that have been put in the EIR
9 and to which we are looking for comments about
10 the validity of that determination.

11 BRIAN SCHMIDT: Thank you. I understand
12 that, and I think that's been addressed by other
13 comments.

14 MR. PETRILLO: Okay. John Wilkinson
15 followed by Bettiva Settifman.

PH-SJ033

16 JOHN WILKINSON: Yes. My name is John
17 Wilkinson. I'm a member of Sierra Club, and I
18 live in San Jose. I would like to thank the
19 Authority for having a public hearing in my home
20 town, San Jose.

21 The Sierra Club is not an advocate for
22 Altamont Pass, but we do think it was excluded
23 from the process in 1999 for reasons which are
24 inadequate.

25 I have heard a lot of opinions expressed

PH-SJ032-1
cont

PH-SJ033-1

1 here today which seem to come from some knowledge
2 that I don't have. I only know what's in the
3 EIR. And according to the EIR, the Altamont
4 route was rejected because of ridership studies
5 that show it would be 5.5 percent less ridership
6 than a southern alignment. This is not a very
7 large percentage. For a complicated forecast 16
8 years from the future, it seems to be within the
9 margin of error. But even if the figure is
10 accepted, it is not sufficient from my
11 understanding of CEQA guidelines for elimination
12 of a route.

13 CEQA guidelines provide that even routes
14 which might impair attainment of project goals
15 should be included if they could eliminate severe
16 environmental impacts.

17 On the other hand, two routes are
18 included which I believe to be impossible. These
19 are the routes that run through the Orestimba
20 Wilderness and Henry Coe State Park. I believe
21 these routes are impossible because of the moral
22 and legal barriers to their adoption are
23 insurmountable.

24 The Wilderness Act provides in a land
25 which is designate as a wilderness is so

PH-SJ033-1
cont

PH-SJ033-2

1 designated forever. This is a promise to future
2 generations that these lands will remain wild
3 forever. Therefore, to my way of thinking, these
4 routes are impossible.

PH-SJ033-2
cont

5 The Wilderness Act does not provide that
6 wilderness can be withdrawn. If you run -- if
7 you want to run trains through the wilderness,
8 you have to repeal the Wilderness Act or amend it
9 to allow trains in the wilderness or amend it to
10 allow wilderness lands to be withdrawn as
11 wilderness designations.

12 MR. PETRILLO: Thank you very much.

13 Bettiva Settifman followed by Georgia Stigall.

PH-SJ034

14 BETTIVA SETTIFMAN: Good afternoon. My
15 name to Bettiva Settifman. I'm a resident of
16 Santa Cruz. I'm a supporter of high-speed rail.
17 I think I'll keep my comments very brief, since
18 it's late.

PH-SJ034-1

19 But I think it would be poor policy to
20 endorse the current draft EIR, because it is a
21 poor document. It does not analyze the
22 environmental impact of the Diablo Range, and it
23 omits the study of Altamont Pass, a serious flaw.

24 High-speed rail should be built in
25 California only where its environmental impacts

1 don't outweigh its environmental benefits.

2 The two routes through Henry Coe State
3 Park are clearly forbidden by the California
4 Wilderness Act. Therefore, these routes should
5 be withdrawn immediately. Given that CEQA, the
6 California Environmental Quality Act, requires
7 that all feasible alternatives should be stated,
8 I call you to revise and to recirculate the draft
9 EIR to include the Altamont Pass route. Thank
10 you very much.

11 MR. PETRILLO: Thank you. Georgia Stigall
12 followed by Garry Stoddard.

PH-SJ034-1
cont

PH-SJ035

13 GEORGIA STIGALL: Thank you for the
14 opportunity. My name is Georgia Stigall. I'm
15 the president and representing the Santa Clara
16 Valley Chapter of the California Native Plant
17 Society. We are a state-wide site based on
18 conservation and organization. We concern
19 ourselves with conservation of native plants and
20 their habitat.

21 I would like to say first, we do support
22 sound environmental policy, science-based
23 environmental policy. So to the extent there are
24 any options that were not included, we think that
25 should be reconsidered as part of CEQA.

PH-SJ035-1

1 The California Native Plant Society has
2 literally decades of on-the-ground field
3 experience in the Hamilton/Diablo Range. And
4 because of that, we have amateur and professional
5 scientists who do field work and plant surveys
6 and so forth.

7 And for those who may not know, I would
8 like to mention when we talk about the study of
9 plants, we don't talk about individual units.
10 But we talk about plants as part of a bioregional
11 and part of an ecosystem.

12 So we are intimately familiar with the
13 habitat values of, not only Henry Coe, but all
14 the entire bioregional, including San Antonio
15 Valley, Isabelle Valley, and Pacheco Pass, the
16 entire region.

17 And several people have mentioned
18 endangered species. There are in fact legally
19 listed species. But I would like to say that in
20 addition to that -- and I know a lot of people
21 share that view -- the simple fact there's intact
22 viable habitat -- and I won't use the word
23 "pristine" because it's not really a scientific
24 term -- but there are intact viable habitats.
25 And that entity alone in California throughout

PH-SJ035-1
cont

1 North America is, in fact, very endangered. And
2 we're very fortunate to have that in our region.
3 We want to preserve that.

4 I heard a lot folks mention of economic
5 considerations. I certainly understand that. I
6 suggest in addition to the economic value in our
7 urban and southern urban regions, there's a
8 reason that people come from all over the world
9 to visit and spend money in the Bay Area. I
10 could personally think -- just sitting in my
11 seat, I thought of over two dozen people that
12 have come from the East Coast and other countries
13 to visit the Hamilton/Diablo Range along with the
14 Santa Cruz Mountains and the entire area. So
15 when we talk about economics, let's include these
16 areas and how they contribute to that.

17 So I would like to be sure I clarify the
18 California Native Plant Society adamantly opposes
19 any further disruption of these regions. We
20 don't consider them viable or practical choices
21 for a transportation corridor. And that if you
22 do accept this region, we'll end up with nothing
23 but what will be for awhile a pretty view; all
24 the other values will be gone. Eventually, the
25 pretty view will be gone, because the air

PH-SJ035-1
cont

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PH-SJ035-1

1 pollution and the attendant fire suppression,
2 which somebody touched on, will result in a vast
3 plant community of dead plants. And then we'll
4 have all kinds of problems that I don't have time
5 to articulate right now. But I hope you'll
6 consider them. Thank you for your time.

7 MR. PETRILLO: One question. You said air
8 pollution contributed to high-speed rail?

9 GEORGIA STIGALL: What I'm talking about
10 is the general -- thank you for asking for
11 clarification -- the general air pollution in the
12 Bay Area certainly contributes to the fauna
13 mortality.

14 And a gentleman spoke to the issue that
15 in state wilderness, we generally, not always but
16 generally, let fires burn. Without fire we will
17 have a fuel built up that will result in many
18 problems including removing the aesthetic appeal
19 of the region.

20 Does that make sense?

21 MR. PETRILLO: Thank you very much.

22 GEORGIA STIGALL: And we will submit
23 comments in writing. Thank you.

24 MR. DIRIDON: As Garry is coming forward,
25 earlier today we heard testimony that showed our

1 airlines contribute more than any other single
2 transportation device to the air pollution and
3 precursor to global warming. And high-speed rail
4 is a replacement of some of the airlines. I
5 can't understand why there would be a concern for
6 high-speed rail contributing to air pollution.

7 GEORGIA STIGALL: That isn't what I said.
8 Am I allowed to clarify?

9 MR. DIRIDON: It would reduce air
10 pollution.

11 GEORGIA STIGALL: That isn't what I said.
12 I don't think it's fair to wait until I have left
13 the mike.

14 MR. DIRIDON: I didn't mean to be rude to
15 you, but I think it's a misunderstanding.

16 GEORGIA STIGALL: I didn't contribute air
17 pollution to the high-speed rail. I'm
18 attributing it to the car pollution. And I
19 personally don't think we'll have a reduction in
20 car pollution. And I will be happy to discussion
21 that at a another time.

22 MR. DIRIDON: I've driven an electric car
23 since '96.

24 GEORGIA STIGALL: Other people have been
25 waiting for their turn.

PH-SJ036

1 MR. PETRILLO: Garry Stoddard followed by
2 Rex Lindsay.

3 GARRY STODDARD: Thank you for allowing me
4 to speak today. Someone mentioned earlier, and I
5 believe it was you, mentioned Highway 130. I
6 live on Highway 130, and it is such an important
7 roadway that they have a stop sign on the west
8 end so you can drive to the golf course without
9 having to stop. It's not exactly a thoroughfare
10 through those hills.

11 You know I've been coming down here for
12 25 or 30 years for all these meetings for
13 something that I agreed -- or disagreed. I'm
14 attempting to find something I agree with. I
15 have compromised to give up something to get
16 nothing. So I don't compromise any more. I'm
17 against everything.

18 I have given up zoning sites. I've given
19 up -- I have more restrictions that I used to
20 have. I have less fire protection, less police
21 protection, and I live an hour and a half from
22 that highway. So it takes me almost as long to
23 drive here as it will take on your high-speed
24 train from Los Angeles to San Jose.

25 If I was going to use that high-speed

PH-SJ036-1

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1 train for something, I would use it for
2 population redistribution. I would run it to
3 Nevada and let the people get off on the other
4 side of the state line. And if we ran enough of
5 them over there, we wouldn't need any more
6 highways or trains. There wouldn't be anybody
7 left here. And the people that were left here
8 could get around without a problem.

9 It bothers me the county has bothered to
10 restrict what I can do for parcel sites, what I
11 can do with my property. And we agreed a long,
12 long time ago on a county general plan not to use
13 parcel splits, not to develop, not to do anything
14 in that country. And I think that -- I don't
15 think there's been enough lot splits in 25 years
16 to add up to what we could do in one year. And
17 we've attempted to leave it the way it is, and
18 now we want to put a train through it. And we
19 want to put a highway up in Del Puerto Canyon.

20 So I decided that all the years I've come
21 down here and haven't won a battle yet, I'm going
22 to support all of these. Because anything that
23 I've supported in all the years I've been coming
24 here has never passed. Thank you very much.

25 MR. DIRIDON: I've been hearing from

PH-SJ036-1

1 Garry -- and it's always worth a chuckle -- about
2 25 years of my life, almost 30 years of my life,
3 he and the next rascal that's coming forward and
4 spice up our meetings continuously with quick
5 wisdom; and it's nice to hear from you.

6 MR. PETRILLO: Okay. Rex Lindsay followed
7 by Cribar Zachary.

PH-SJ037

8 REX LINDSAY: I have fought with Rod for,
9 gosh, 20 years I guess. Now I end up on the
10 Board of Directors with him, and I have to be
11 nice to him.

PH-SJ037-1

12 I represent the Mount Hamilton Range
13 Improvement Association officially. However, my
14 two compatriots have stolen all my thunder. But

15 let me tell you a little bit about the Range.

16 Highway 130, you asked about, it's about
17 20 miles long. But if it were a snake and you
18 grab a hold of its tail, it would probably
19 stretch for 40 miles.

20 Garry has got to break a few speed limits
21 to make it in an hour and a half to San Jose. It
22 takes me an hour and fifteen minutes, and I'm a
23 half hour closer than he is.

24 We represent about 200,000 acres, almost
25 a quarter of the country. Having -- there are

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19 stretch for 40 miles.

20 Garry has got to break a few speed limits
21 to make it in an hour and a half to San Jose. It
22 takes me an hour and fifteen minutes, and I'm a
23 half hour closer than he is.

24 We represent about 200,000 acres, almost
25 a quarter of the country. Having -- there are

1 four members in this audience. We have the
2 highest percentage in any organization at present
3 at this meeting, because there's only about a 120
4 of us.

5 There's been very few changes since the
6 1900s. To put numbers to Garry's comments, we
7 were allowed during Rod Diridon's time in
8 meetings with the environmental community and
9 within our community, we decided we could create
10 no more than 25 parcels in any one year. We have
11 created 28 parcels in last 24 years. There's not
12 much changing in our area. The idea of a train
13 going through there, I shudder.

14 I was going to talk about fires, and
15 Charles Luckhardt did it for me. But how about
16 the terrorist activity? What a wonderful place
17 that would be for them to decide to do something,
18 because there's thousands and thousands of acres
19 with no people.

20 Someone here walked the route through Coe
21 Park. I guarantee you, no one has walked the
22 route that you showed through the northern part
23 of the Diablo Range through the San Antoine
24 Valley and through the Isabelle Valley.

25 First place, you probably would trespass

PH-SJ037-1
cont

1 on so many lands that somebody would catch you
2 before you got through. And you would be --
3 probably spent two to four days. And if you are
4 going to do it, I recommend a guide.

5 I'm in favor of the Pacheco Pass route
6 from what I have heard. I'm very much opposed to
7 going through the Diablo Range.

8 Just the idea of trying to do the
9 construction, there are no filling stations. The
10 closest grocery store is a an hour and a half
11 away. There's no place for anyone to stay.
12 There's one route that goes through the area and
13 the range extends 10 and 15 miles on either side
14 of that road where there are no roads.

15 So I would ask you to not consider the
16 northern routes through the Diablo Range. And I
17 appreciate your time, and I will add Garry and
18 Chuck stole all my jokes.

19 MR. PETRILLO: Thank you. Cribar Zachary
20 followed by Richard McDonald.

PH-SJ038

21 ZACHARY CRIBAR: Zachary Cribar, that is.
22 Good afternoon to the members and good afternoon
23 to the ladies and gentlemen behind me just the
24 same.

25 My name is Zachary Cribar, and I am a 17

PH-SJ037-1
cont

PH-SJ038-1

1 year old public transportation advocate. I would
2 like to take this time to restate to the
3 Authority and public, as I stated at the San
4 Francisco public hearing on the date of Thursday
5 April 15, 2004, for starters with simplicity I
6 would like to offer to the Authority to use my
7 comments and any comments from any other public
8 presentation speakers to help you work with the
9 federal agency in advocating for accident
10 prevention over that of accident survival.

PH-SJ038-1

11 Number 2, I would like to highly
12 encourage the Authority to plan for the future.
13 Plan for an overcrowded system, for a system that
14 will be unable to comfortably fit the number of
15 riders predicted. We do not want to see this
16 system to become a victim of its own success as
17 the system of Salt Lake City, Utah has become.

18 Number 3, why not use more alternatives?
19 You can have various lines. Have a line from the
20 Los Angeles and San Diego areas to the Bay Area
21 via Altamont Pass, and at the same time have a
22 loop service from Sacramento to Los Banos to San
23 Jose to San Francisco and back up the I-80
24 corridor to Sacramento.

PH-SJ038-2

25 Number 4, I would like you to investigate

PH-SJ038-3

1 this equation being: Convenience, plus, time,
2 plus, cost, plus, reliability. You must meet to
3 this equation if you wish to divert riders to
4 your system.

5 I will, as I did in San Francisco, use
6 San Francisco Muni as an example of this.
7 Utilizing Muni is much more convenient than
8 utilizing my car. In my car I would have to walk
9 a thousand miles to get to my final destination.
10 Muni will drop me off to my final precisely.

11 Time: It's much slower driving through
12 San Francisco than taking Muni. Muni also costs
13 less. Muni also is much more cost efficient, and
14 it's reliable enough. I can depend on a service
15 on the bus -- excuse me -- coming every six
16 minutes.

17 Number 5, partnership with your other
18 transit agencies to meet to this equation. These
19 transit agencies which your rail service will be
20 servicing. If I cannot have adequate service in
21 those areas, then I will not be able to get to my
22 final destination in a way that I would
23 appreciate.

24 And last by not least, if you need more
25 money and more time to create a much more viable

PH-SJ038-3
cont

1 and efficient service, then we will obviously
2 need to further investigate and wait.

3 And I would like to close by saying in
4 Martin Luther King's words, "I have a dream."
5 However, my dream is that this system will not
6 only be a California system, but futuristically
7 an American system. Thank you and God bless for
8 this time.

9 MR. PETRILLO: Thank you. Richard
10 McDonald followed by Margaret Okuzumi.

PH-SJ039

11 RICHARD McDONALD: Ladies and gentlemen,
12 good afternoon. My name is Richard McDonald. My
13 family is one of three families that own the
14 Isabel Valley Ranch located in the Diablo Range
15 southeast of San Jose. The other owners are the
16 O'Neals and Swenson families.

17 I'm here today to speak in opposition to
18 the Diablo Range direct alternative route. And
19 specifically to propose a northern tunnel
20 alignment to the San Jose segment of the proposed
21 high-speed train project.

22 The other property owners have also made
23 the Board aware of our opposition to this
24 proposal and will or have further addressed their
25 concerns to the Board.

PH-SJ038-3
cont

PH-SJ039-1

1 The Diablo Range direct northern tunnel
2 alignment would result in extreme environmental
3 damage to the Isabel Valley and the entire Diablo
4 Range. It will cause severe habitat destruction,
5 major fragmentation, and significant disruption
6 for a number of species, included protected
7 species, such as, tuly elk, four-horned antelope,
8 mountain lions, eagles, and virtually any other
9 species of animal or bird that inhabits the area.

10 There will be significant adverse impacts
11 to the area, such as, the water shed, the
12 underground aquifer, the geology, the archeology,
13 and current cultural values of the community that
14 live in those hills.

15 In short the bullet train would be an
16 environment disaster to the entire Diablo Range
17 and especially to the Isabel Valley. The Isabel
18 Valley Ranch itself consists of approximately
19 12,000 acres. The same families have owned and
20 operated and maintained this property in their
21 virtually natural state for over 50 years. Many
22 other family-owned ranches in those hills go back
23 much further than that.

24 Our ranch and as well as those of our
25 neighbors will literally be bisected by the

PH-SJ039-1
cont

1 proposed train cutting the property in half. And
2 with it the habitat and migrational corridors for
3 hundreds if not thousands of protected species,
4 including elk, antelope, eagles, and thousands of
5 others. The environmental impacts would destroy
6 forever the natural state of this valley, which
7 is today much as it was a hundred years ago or
8 200 ago or 500 years ago. Save except for a few
9 spot ponds and primitive lakes, some pasture and
10 fire trails, the Isabelle Valley today is truly a
11 wilderness area even though it's only 25 miles
12 from San Jose.

13 The three families that own Isabel Valley
14 Ranch share a great strong commitment to keeping
15 this land in its natural state. The property of
16 the Wilderness Act, it is not for sale; it is not
17 held for development.

18 The ranch has passed through three
19 generations of owners in its same condition, and
20 it's our commitment to pass it on as we took it
21 on.

22 A high-speed bullet train makes many
23 trips through the valley, much of which is shown
24 at a great elevation, would be an environmental
25 abomination.

PH-SJ039-1
cont

1 For your reference I have taken a few
2 snap shots in the vicinity of the proposed
3 alignment, and I based that vicinity on Sheet 2
4 of 5 from one of the maps I obtained at the HRA
5 offices and I appreciate the staff for opening
6 the doors and allowing me to look at those
7 documents. The photographs are attached to the
8 written version circulated to each Board member.
9 And, although, these photos were from a
10 disposable camera, they show photos of elk and a
11 coyote posed for a snapshot along the road. They
12 convey a sense of the natural beauty of the area.

13 MR. PETRILLO: You're going over the three
14 minutes, so if you can submit it in writing and

15 RICHARD McDONALD: I will close. I have
16 some other points I would like to make for the
17 record. As owners of the property, we were
18 struck by the lack of notice of communication
19 from HRA and its staff and consultants. It's
20 only in the last 60 days we've been made aware of
21 this project. No one has contacted the owners
22 for access or information and it is impossible to
23 conduct a thorough environmental review of this
24 project by drawing lines on high altitude maps.
25 Site field operations would be critical mandatory

PH-SJ039-1
cont

PH-SJ039-2

PH-SJ039-3

1 for the review of the project. The Board is
2 urged to reject the Diablo Range alternative.
3 Thank you.

PH-SJ039-3
cont

4 MR. PETRILLO: I'm curious. Are these
5 working ranches or --

6 MR. McDONALD: Well, many of them are
7 working ranches, working cattle ranches, a
8 variety of agricultural purposes. Much of the
9 country is wide open, and many family-owned
10 ranches are back there, many of which have been
11 there for many years.

12 MR. PETRILLO: Thank you. Margaret
13 Okuzumi.

PH-SJ040

14 MARGARET OKUZUMI: Good afternoon. I'm
15 Margaret Okuzumi. I'm the executive director of
16 BayRail Alliance, a grass-roots railriders' group
17 in the Bay Area. We strongly support high-speed
18 rail.

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19 Two and a half years ago with help of
20 Roger and I and the some other folks in this
21 room, we held a public forum to help -- in an
22 event that helped the public understand and to
23 learn more about the high-speed rail project.
24 About that same time we -- okay -- we strongly
25 support high-speed rail coming to the -- the plan

1 to use the Transbay Terminal in San Francisco,
2 and we certainly hope that the rail extension to
3 that terminal will not be compromised in any way.

4 About the time we were holding the forum,
5 we became aware of the controversy over the
6 alignments. It was about two and a half years
7 ago. And after examining the issues, we've
8 decided to support the many groups that are
9 asking for a more detailed analysis of the
10 Altamont alternative to be included in the EIR.

11 This is a huge investment for the State
12 of California, and there is just no
13 short-circuiting the process. If you want
14 high-speed rail to be successful at the ballot
15 box, it needs to be studied. Extensive tunneling
16 is expensive and risky. Building roads in rural
17 areas is problematic. Some of the arguments we
18 have heard about the three-way split being
19 problematic.

20 First of all, it's not a three-way split
21 that proponents of the Altamont route have been
22 asking to be studied. It's a two-way split. In
23 any case, the BART system regularly splits
24 trains. And in the case of BART and perhaps in
25 the case of high-speed rail, there are good

PH-SJ040-1
cont

1 operational reasons for doing so. Airlines fly
2 to both San Jose and to San Francisco, and that's
3 not considered a problem.

4 Now, I understand also from talking to
5 various folks in the environmental community,
6 including Audubon, that crossing the bay or a new
7 Dumbarton rail bridge may be considered less
8 problematic than the southern alignments. A new
9 Dumbarton rail bridge could be designed to help
10 restore water flows to the bay and other
11 mitigation measures could be put in place.

12 Furthermore, I understand that the ship
13 traffic in that area is very little. It's known
14 well ahead of time, and it's only about three
15 ships a year that pass through there. And so
16 that it might be possible to build a much less
17 expensive bridge than the one billion dollar
18 figure I've heard quoted.

19 And the only way to basically settle
20 these problems and address these issues is to
21 study the Altamont alternative and have that
22 considered in the EIR. And we ask you to do so.
23 Thank you.

24 MR. PETRILLO: Thank you. Alan Miller
25 followed by Barry Swenson.

PH-SJ040-1
cont

PH-SJ041

1 ALAN MILLER: Good afternoon. After I
2 spoke at the last meeting in Modesto,
3 Mr. Diridon, after I sat down, asked people to
4 look at who is backing what he called "alternate
5 plans or boondocks." He said you should ask
6 yourself, Who are the experts on these people's
7 sides and then look at our experts.

8 Well, actually we asked to look at your
9 experts, the German, French, and the Japanese as
10 mentioned repeatedly by Mr. Diridon and
11 Mr. Morshed. We did a public records request and
12 Senator Murray asked them to produce it. We saw
13 the peer reviews mentioned, and there are no
14 comments regarding route selection.

15 Many said in a recent AP article, the
16 TRAC opposes rail projects often. This is true.
17 We oppose bad rail projects.

18 Mr. Diridon here is often called the
19 father of light rail. But I wonder is someone
20 proud to be the father of a child that gets Ds
21 and Fs. We opposed the Highway 85 route, and now
22 San Jose has the most expensive slowest and worst
23 riderships of any light rail in the country.

24 We also opposed BART to the airport, and
25 the ridership there is abysmal. We supported a

PH-SJ041-1

1 plan that cost billions less. We oppose bad rail
2 projects, because they make rail look bad.

3 Ironically, they made it look so bad the name San
4 Jose and BART are associated with these projects
5 that we oppose and now they've been put together
6 so the feds are not supporting BART to San Jose.

7 We came here two years ago and you said
8 to me, Mr. Diridon, because we were against your
9 project, we were against high-speed rail. We
10 came almost alone then, but now it's not just
11 TRAC. It's the Sierra Club, the Planning and
12 Conservation League, Nature Conservancy,
13 Defenders Of Wildlife, CalFlora, State Parks
14 Foundation, Green Belt Alliance, American Farm
15 Land & Trust, Surface Transportation Policy
16 Project.

17 These people consider themselves
18 physically concerned environmentalists and in
19 your current Mercury article, you invite anyone
20 who doesn't agree with your viewpoint, "You are
21 not."

22 What is irresponsible is failure to
23 recognize mitigation costs needed for one
24 alternative of your Oakland branch passed through
25 five miles of wetlands under restoration. A

PH-SJ041-1

1 billion pass through salt evaporators. Yet
2 nothing pass through the wetlands.

3 What is irresponsible is moving a bridge
4 crossing and the cost of the bridge is going to
5 be billions. What is irresponsible is planning.
6 In your editorial there will be an environmental
7 fire storm over at Dumbarton crossing. In
8 February at the same type of meeting in San Jose
9 a woman got up from the Sierra Club and said, "We
10 are the environmentalists? This is a
11 transportation corridor. We're in favor of it.
12 Where is the opposition?"

13 They were literally laughing at his
14 assertion from the need for massive bay fill in
15 the scales of San Francisco Airport. The only
16 environmental fire storm associated with
17 Dumbarton is in your dreams.

18 But an environmental fire storm has
19 already started and is burning in the Diablo
20 Range from Highway 152 to Mount Hamilton. The
21 earlier mentioned environmental groups are
22 saying, Study Altamont.

23 What is irresponsible is planning the
24 extra 14 miles to go to San Jose via Altamont
25 which will take an extra 26 minutes rather than

PH-SJ041-I

1 the 10 minutes claimed by everyone for the last
2 decade.

3 What is irresponsible is failing to
4 mention that Altamont is 8 miles shorter from San
5 Francisco to the peninsula and that your own
6 ridership study shows double the ridership on the
7 San Francisco/ Peninsula leg than the San Jose
8 leg.

9 MR. PETRILLO: Excuse me. You have gone
10 over the three minute time.

11 ALAN MILLER: I will wrap it up. Your
12 editorial says that Altamont is infeasible, but
13 now we have the army core of engineers and the
14 National Environmental Protection Agency also
15 saying the EIR is incomplete. Study Altamont.
16 It isn't just TRAC anymore. We didn't go away,
17 and now we're here with an army. The army is
18 here outside the castle. And we're refusing to
19 surrender. Study Altamont.

20 Where is the testimony of French, German,
21 and Japanese experts? I am here to say the
22 emeritus has no close.

23 MR. PETRILLO: Thank you very much. I do
24 want to point out there are eight other members
25 of the Board other than Rod Diridon. Barry

PH-SJ041-1

PH-SJ041-1
cont

PH-SJ042

PH-SJ042-1

1 Swenson followed by -- he's not here. David
2 Schonbrunn followed by Yolanda Reynolds.

3 DAVID SCHONBRUNN: I'm David Schonbrunn,
4 president of TRANSDEF. We have been active for
5 the past ten years in reforming Metropolitan
6 Transportation Commission. Partly as a result of
7 our ongoing legal challenges, MTC is now a
8 changed agency much more responsive to concerns
9 raised by public.

10 Your agency in contrast has not learned
11 this important lesson yet. There has been a
12 fundamental miscalculation leading to the stance
13 that somehow your Authority can strong-arm
14 whatever plan it wants into approval. On the
15 contrary, you're going to have to convince the
16 public. And the public is not going to go for a
17 plan that knowledgeable environmentalists and
18 rail activists think is a terrible plan. Your
19 current plan is DOA.

20 Your selection of alternatives illegally
21 excluded the previous high-speed rail
22 commission's preferred alternative. That just
23 stinks of a back room deal. There's no way their
24 project is going forward without an honest study
25 of the Altamont alignment in the bright light of

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1 day.

2 By the end of today, you will have heard
3 a large number of Silicon Valley residents parrot
4 a script containing a list of falsehoods. That
5 list shares a lot in common with a outbid written
6 by High-speed Rail Authority Chair Rod Diridon
7 Senior. We all know Rod, the manufacturers, and
8 the Mayor think that San Jose is the center of
9 the universe. This does not entitle them to come
10 up with cock-and-bull stories to support their
11 desire to steer billions of dollars into a set
12 sinkhole that is second to BART to San Jose.

13 We see a much better plan for Silicon
14 Valley where the Altamont alignment also provides
15 a BART-level of service to San Jose from Fremont.
16 VTA could then spend 2 billion on transit for
17 Santa Clara County much to its advantage.

18 The advocacy you've heard for a southern
19 route is irrelevant to the EIR advocacy issue
20 before you now. This isn't the time for merits
21 comments even if they were informed comments.
22 Instead this is the time to tell you what you
23 need to do to have an adequate EIR.

24 The failure to study the Altamont
25 alignment is a glaring matter of inadequacy that

PH-SJ042-1
cont

1 no amount of advocacy by Mr. Diridon can
2 overcome. The conclusions he reached in his
3 albeit were based not on environmental review,
4 because there was none, but on his San
5 Jose-centered world view. We will prove as time
6 goes on that his points were consistently wrong.

7 I would think that Mr. Diridon's being
8 known as the father of the light rail system that
9 has some of the worst operating ratios in the
10 nation would be enough recognition for a
11 lifetime. But, no, he obviously wants to repeat
12 that miserable distinction, blowing a lot more
13 money in the process.

14 I'm wearing my high-speed rail volunteer
15 badge. I'm ready to assist in campaigning for
16 high-speed rail, but it will require a change in
17 behavior.

18 MR. PETRILLO: You are extending over
19 three minutes.

20 DAVID SCHONBRUNN: What we want is the
21 following: Stop the lying. Start telling the
22 truth. And study a reasonable range of
23 alternatives including Altamont. Then we will be
24 happy to work with you. Thank you.

25 MR. PETRILLO: Thank you very much.

PH-SJ042-1
cont

PH-SJ042-1
cont

1 Again, I want to point out again that Mr. Diridon
2 is only one of the members of the Authority.

3 DAVID SCHONBRUNN: He's the one in
4 the -- in the paper.

5 MR. PETRILLO: He can and any individual
6 members of the Authority can to whatever they
7 want, and it's their right. We have eight others
8 who are listening to this.

9 I also want to point out that I have
10 heard comments from all sorts of different
11 organizations today. Some indicated their
12 support for Altamont; some indicating their
13 support for the Diablo; and some indicating their
14 support for Pacheco. The ones indicating their
15 support for Pacheco happen to be environmental
16 groups also.

17 We have to make a decision at some
18 particular point among the different comments,
19 and that's what these hearings are about. So we
20 can hear this; look at all the stuff that you
21 have said; and respond in the Environmental
22 Impact Report.

23 DAVID SCHONBRUNN: Mr. Chairman, if I may,
24 there was an additional category you failed to
25 mention, and, that is, there is a lot of us who

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1 are here not for one of the alignments but for an
2 adequate study of alternatives. That's a very
3 different issue than the merits questions you
4 just raised.

5 MR. PETRILLO: Thank you.

6 MR. DIRIDON: And may I make the comment,
7 Mr. Chair, the article in the paper was reviewed
8 by the technical experts that associated
9 themselves with our program before it was
10 submitted to the newspaper. And the information
11 that's been offered now by several people at the
12 microphone mischaracterizes the information
13 included in that document; just as they seem to
14 mischaracterize quite a bit of other information
15 that's been offered to the community. And I'm
16 sad about that.

17 I think if we can keep away from
18 personalities, then you begin to attack an
19 individual instead of ideas. That suggests a
20 bankruptcy in your ability to focus on the issue.
21 And the issue here is comment on the
22 Environmental Impact Report. That's what will
23 help us to accomplish this objective, please.

24 MR. PETRILLO: Yolanda Reynolds followed
25 by Frank Jesse.

PH-SJ043

1 YOLANDA REYNOLDS: Good afternoon. My
2 name is Yolanda Reynolds, and I don't know the
3 gentleman who spoke before me but I too urge you
4 to pay attention to what he said. Maybe you can
5 disregard the names mentioned. However, the
6 facts that were presented are shared by many in
7 the community. So I would urge you to be very
8 aware of that because what he has said -- told
9 you, I've heard out in the community. And I do
10 get around, as you know, Mr. Diridon.

11 One of the things that is not mentioned
12 or has not been mentioned this afternoon I think
13 is lacking in this particular project in terms of
14 analysis is the issue of security. You are
15 having hundreds of miles of fixed rail, and there
16 is nothing -- or no one has spoken to what type
17 of security we are going to have.

18 At the cost of this high-speed rail, we
19 would be competing with terrorist -- the
20 possibility of a terrorist attack that would
21 compete with the World Trade blow up, and I would
22 urge -- I just don't understand. It's going to
23 be fixed rail. Are we going to have one
24 man -- one person overlooking every mile of that
25 rail? I would like to know how that's going to

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1 be handled.

2 Others ahead of me have spoken very well
3 and very eloquently on the environmental impact.
4 I won't repeat that, but I do hope you will
5 listen to that. I'm not a member of any of these
6 other than the Sierra Club, which my husband
7 actually belongs to.

8 I really object to anything that would go
9 through Coe Park. My sons are now grown men, and
10 that is where we took them when they were
11 children to enjoy the wilderness. And that's
12 where we felt we could trust them to be there
13 alone at night to learn how to camp out. It has
14 been a very important part of my family's life
15 and as I heard others speak it was as well for
16 them. So anything like that if you do go ahead
17 on this project.

18 The other thing I wanted to mention,
19 again, which was spoken to very well by Lowell
20 Grattan, and that was that the projected
21 ridership. I remember the figures that were
22 submitted for the light rail. I'm speaking as a
23 former transportation commissioner for the County
24 of Santa Clara, and I served for almost nine
25 years. It was quite a disappointment to me I

PH-SJ043-1
cont

PH-SJ043-2

PH-SJ043-3

1 came onboard very supportive of mass transit.

2 And I left the solution.

3 Last night I was downtown on First
4 Street. What did I see? The same thing I said
5 once before, all I could count was four little
6 heads in that train. That is still the
7 situation.

8 I rather question the numbers that are
9 given as for ridership on the train and
10 especially if we begin to have more threats,
11 terrorist threats. And I certainly concur with
12 the folks who are saying, look at Altamont.
13 Because one of the real problems that I saw as a
14 member of the commission was exactly the way the
15 light rail lines were laid out and how it did
16 not -- they did not coordinate at all. And in
17 fact at one point there was an attempt to get rid
18 of all the buses. So there isn't more ridership,
19 and there's still no ridership. And it has a lot
20 to it with where the rail lines were put. Thank
21 you for listening to me, and I hope you listen to
22 the people who spoke very well on the
23 environmental impact and on those farmers. That
24 is so important to all of us.

25 MR.. PETRILLO: You've gone over. Thank

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cont

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PH-SJ044

1 you. Frank Jesse followed by Dr. Lee Boese.

2 FRANK JESSE: My name the Frank Jesse.

3 I'm vice-president of VEA Systems, a technology
4 company in the valley.

5 First of all, I want to thank you very
6 much for this hearing and being able to address
7 the Commission and thank you very much.

8 The main point that -- a couple of major
9 points I want to emphasize: One, being the key
10 importance that Silicon Valley represents to
11 California. I was speaking with some executives
12 in San Francisco with some other companies, and
13 they were emphasizing in the banking community
14 and other economic areas that when all is said
15 and done, Silicon Valley still represents the
16 locomotive -- if I can use the analogy -- that
17 really drives an enormous part of California's
18 economy.

19 So creating this rail connection to
20 interconnect the key vital economic parts of
21 California is truly a very critical enterprise.
22 Everything we can do to make that rail connection
23 to be optimized and really work in the frequency
24 and create the usage that will drive those
25 economic benefits will help the state in so many

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1 dimensions, including to be able to fund
2 economic -- or environmental desires as well.

3 So I want to emphasize, not a particular
4 knowledge about one alignment or the other of the
5 southern alignments, but an emphasize of creating
6 the most expedient routing, which would have a
7 southern alignment one way or another, certainly
8 taking into account the various environmental
9 issues.

10 Again, I want to emphasize a need to not
11 have the rail be divided to a northern alignment
12 that would cause a lack of convenience to the
13 functionality of the rail. Thank you very much.

14 MR. PETRILLO: Thank you. Dr. Lee Boese.
15 And after this, we will take another five-minute
16 break at this time.

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cont

PH-SJ045

17 DR. LEE BOESE: Mr. Chairman and members
18 of the Board, as chairman of the Merced County
19 High-speed Rail Committee, I'm here to advocate
20 support for the Diablo Range alternative as the
21 preferred route of the two routes currently
22 proposed on the EIR.

23 Our reasons for supporting this are the
24 following:

25 First, one of the stated goals in the EIR

PH-SJ045-1

1 is for the proposed rail system to move
2 passengers in the quickest and most efficient
3 method. If the Diablo alternative is chosen,
4 that would cut travel time by 24 minutes from San
5 Francisco to the Los Angeles route. Moreover, it
6 would cut time from San Jose to Merced by 6 to 8
7 minutes. Ridership is maximized by the frequency
8 and speed of the operation.

9 The second reason we support Diablo is a
10 train service would be more frequent and a
11 greater number of people in the northern part of
12 the Central Valley would be served. If Pacheco
13 were chosen, a large portion of citizens would
14 not be thought of in Chowchilla, Fresno, or Los
15 Banos.

16 For many citizens of the valley, Pacheco
17 would be considered a rural route and ridership
18 in Northern California would not be served.

19 The Diablo route would allow people from
20 Stockton, Tracy, Modesto, and Merced to be able
21 to take this train, and thus ridership in the
22 initial phase would be greater. This is also one
23 of the stated goals in the EIR.

24 The third reason we support Diablo is
25 there would be considerably less impact on

PH-SJ045-1
cont

1 agricultural land going through Diablo rather
2 than Pacheco, which would have the train
3 traveling through vast areas of prime
4 agricultural land.

5 We also think Diablo overall is less
6 environmentally harmful when compared to Pacheco
7 in that many of the environmental issues can be
8 mitigated through tunneling under or going around
9 Henry Coe Park as the northern alternative route
10 shows on the EIR.

11 The fifth reason we support the Diablo
12 routes, or more specifically the Merced to San
13 Jose routes, the proposed maintenance and
14 construction facility would be utilized at Castle
15 Airport, Aviation & Development Center. The
16 Pacheco would rule out Castle Air Force Base and
17 maintenance facility.

18 Lastly, while we, the Merced County
19 High-speed Rail Committee, realize no EIR is
20 perfect and one this size certainly cannot
21 address all the thoughtful concerns of everyone
22 here, our committee believes the Authority has
23 done a tremendous job in terms of resourcing to
24 put this EIR together.

25 As a citizen and health care professional

PH-SJ045-1
cont

1 living in the Central Valley, where many such
2 children have inhalers, and Merced County, the
3 most polluted county in the nation. We in the
4 Central Valley ask, how can this not be done?

5 Presently for those of us living in the
6 Central Valley, it took over 30 years for one UC
7 campus to be built. We do not have the luxury
8 and time to wait for a public transportation
9 system which addresses the air quality problems
10 in the present versus more time to study other
11 routes, as some of the critics of EIR have
12 advocated. Thank you.

13 MR. PETRILLO: Thank you very much. We
14 will take our five-minute break.

15 (Break taken.)

16 MR. PETRILLO: All right. We will begin
17 with Richard Mlynarik.

PH-SJ046

18 RICHARD MLYNARIK: All set. Good
19 afternoon. I would like to read to you from the
20 "Corridor Evaluation" prepared for you by your
21 own consultants delivered September, 1999, and I
22 quote, Overall, the Pacheco Pass option would
23 have more negative environmental impacts compared
24 with the Altamont Pass option. This option may
25 potentially affect low-income populations in

PH-SJ045-1
cont

PH-SJ046-1

1 Morgan Hill and low-income populations from
2 Morgan Hill to San Jose.

3 There would be substantially more water
4 crossings associated with this alignment,
5 including 20 small streams between San Joaquin
6 River and Los Banos. It has the greatest impact
7 on the area of Gilroy, Morgan Hill, Chowchilla,
8 and Los Banos. This option also has a high
9 potential to directly or indirectly destroy
10 properties in Santa Clara.

11 Second of which, the San Luis State
12 Recreation Area and O'Neil Forebay may
13 potentially be affected by this option. There
14 will be visual disasters to these resources as
15 well as residential areas adjacent to the
16 alignment.

17 So what we have in the EIR is your
18 examining two alternatives. You threw away the
19 one before studying the environmental issues.
20 You threw away the one with the least
21 environmental impacts and put in what many people
22 regard as a "straw mat" to drive a new alignment
23 through a wilderness area, something which is
24 illegal. I put it to you that you do not have
25 alternatives in the EIR.

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cont

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1 You have the Pacheco Pass alignment and
2 something that would be discarded to apparently
3 meet some idea of what the environmental process
4 requires. I submit to you that you do not have
5 an adequate study of feasible alternatives in
6 this Environmental Impact Report, and you will be
7 seeing people in court unless you are willing to
8 honestly and directly study the Altamont
9 alignment.

10 Once again, this is a study. This is not
11 to say which is best or which is worse. It's a
12 look at the cost, a look at the benefits,
13 environmental impacts; the same we did before in
14 1999.

15 MR. PETRILLO: One question. Do you
16 believe that just by studying the Altamont
17 alternative, we have satisfied the alternative
18 requirement?

19 RICHARD MLYNARIK: Well, if you do that in
20 a more professional way than under which the
21 Authority operated in the last few years.

22 MR. PETRILLO: Just the Altamont is of
23 your opinion? If we study that, we've satisfied
24 the alternative?

25 RICHARD MLYNARIK: I think you're a lot

PH-SJ046-1
cont

1 closer to meeting the requirements of CEQA, and I
2 don't think you're in the same ballpark.

3 MR. PETRILLO: Todd Kennedy followed by
4 Jack Sturla.

5 MR. DIRIDON: Mr. Chairman, as Todd's
6 coming forward, we discussed this many, many
7 times in the past, the public doesn't know that
8 we can't willy-nilly add alternatives back into a
9 study once they've been excluded. We've excluded
10 hundreds and hundreds of alternatives. I can't
11 say I have, because I more recently am on the
12 Board. But in the other sessions, hundreds and
13 hundreds of alternatives were eliminated for
14 various reasons -- environmental, operational, or
15 whatever.

16 If we're told we have to study this by
17 the legislature or attorney general or an
18 authority such as that, then, of course, we can
19 add it back in. But for us to add it back in
20 opens Pandora's Box on a lot of other
21 alternatives.

22 Remember, you're here in San Jose. This
23 system goes 710 miles throughout the state, and
24 in every area there is concern about other
25 alternatives.

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PH-SJ047

1 TODD KENNEDY: Okay. Good afternoon,
2 ladies and gentlemen. Todd Kennedy, resident of
3 Gilroy. The reason I'm here today is just to
4 express my feelings about and also my concern
5 about the Pacheco Pass alternative. The reason
6 for that is because I'm associated with a ranch,
7 Ranch Los Orens(phonetic) on Pacheco Pass just
8 before the summit. The alternative will allow
9 the rail -- the rail system to tunnel through
10 those mountains that goes right through the
11 ranch, which is currently privately own. Excuse
12 me. Sorry.

PH-SJ047-1

13 I have been going up to the ranch all my
14 life, you know, to experience it. It's very much
15 like Henry Coe Park, and I have been to Henry Coe
16 many times hiking, backpacking, many things like
17 that. The ranch is like that. It's a big
18 wilderness area. Different kinds of animals that
19 were described earlier in earlier presentations.

20 And also the other concern is that -- and
21 this is relates to based on a research study I've
22 done basically very brief. It looks like what
23 both the Henry Coe and the Pacheco routes are
24 going to require a great deal of tunneling going
25 through those mountains. If you're going to run

PH-SJ047-2

1 a train 150 miles an hour, which, you know, is
2 roughly what I understand the trains are going to
3 be running at, those tunnels -- tunnels versus
4 the daylight will probably not work too well
5 because of the pressure differences going into
6 the tunnel and then leaving the tunnel opening up
7 to daylight, which means you could probably have
8 significant damage done to the trains. Things
9 like that.

PH-SJ047-2
cont

10 I have looked it over. I've read about
11 it. And I can get you the information if you
12 would like me to. I can even see if I can
13 confirm that.

PH-SJ047-3

14 So that means -- which leads me to
15 believe, the Altamont Pass should be studied more
16 in depth to see if less tunneling would be
17 needed. Which means if you run a 150 mile an
18 hour train through the Altamont Pass, you can
19 bump it down to 110, 120 versus Pacheco or Henry
20 Coe or Hamilton Pass route. Because then you
21 have to bump it down to 100 miles an hour or less
22 to run it through safely through those tunnels.

23 And also the amount of money it would
24 take to build those tunnels. From a financial
25 view point, according to this document right

1 here, it would take between 720 million to 2
2 billion dollars to build the Altamont route due
3 to the tunneling costs and things like that.

4 So that's basically the point I want to
5 bring up about my feelings about Pacheco and the
6 Diablo route, because both are areas that should
7 be preserved as much as possible. So that's very
8 much just what I want to share, and I want to say
9 thank you for your time. Thank you.

10 MR. PETRILLO: Thank you. If you have
11 that information on the damage that occurs in
12 tunnels, because all of the information that I
13 have received indicates that these trains go
14 through tunnels all over the world without that
15 damage. So if you've got some information, we
16 would appreciate you giving it to us.

17 Jack Sturla followed by William Garbett.

18 MR. DIRIDON: As Jack comes forward, we
19 have been advised by the tunnel experts in the
20 world. It's interesting to know probably the
21 most pristine fragile area in the world is the
22 Swiss and Italian Alps, which was a half dozen
23 tunnels going under them up to 30 kilometers long
24 and they're constructed for the use of high-speed
25 trains. One is being constructed now for

PH-SJ047-3
cont

PH-SJ048

PH-SJ048-1

1 high-speed trains 190 miles an hour.

2 JACK STURLA: My name a Jack Sturla. I
3 live in Gilroy on Holsclaw Road, which is two
4 miles east of Gilroy along Llagas Creek. I have
5 a few suggestions. I believe there haven't been
6 enough meetings that the people in the rural
7 areas that are going to be affected by the
8 construction have had a chance to hear the
9 proposal and study the routes, how it affects
10 them.

11 Right now one of the alternate routes
12 chosen, the Pacheco route, coming into the valley
13 leads to Gilroy, comes up, crosses the Llagas
14 Creek right down the road from where I live and
15 then goes into the farm land on the other side
16 and bypasses Gilroy.

17 Well, in reading the Mercury it had
18 stated that there's 200 feet of right-of-way on
19 either side. That's 400 feet if that's correct.
20 That's a hell of a swath through agricultural
21 land, and it's going to affect people's homes.
22 Some of them probably have to be torn down,
23 removed.

24 The other thing or few -- one other thing
25 is I wonder what the affect is -- would be on the

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1 working cattle ranches in the Pacheco Valley
2 along the Pacheco Pass.

PH-SJ048-1
cont

3 Also the affect in the wetlands north of
4 Los Banos. I happen to be an owner/member of a
5 duck club that lies due west of the San Luis Wild
6 Life Refuge. Reading again in the Mercury today
7 that the route was going to go through the
8 refuge, and it would affect a thousand acres more
9 outside of the refuge. My duck club is right
10 opposite the refuge, so I'm wondering about that.

11 As you probably know, the grassland and
12 ecological area is the largest single wetland
13 area left in the state and you should be very
14 careful what you propose through there. And I
15 believe that if you try to go through the
16 wetlands, you're going to hit a bee hive of
17 opposition.

18 Anyway, I think that's about it and thank
19 you for your time.

20 MR. PETRILLO: Thank you very much.

21 William Garbett followed by Scott Irby.

PH-SJ049

22 WILLIAM GARBETT: I'm William J. Garbett
23 speaking on behalf of the public.

PH-SJ049-1

24 When you look at this, you have to go
25 back to your original designation for high-speed

1 rail, the connection between Northern California
2 and Southern California. Where are the locations
3 of Southern California and Northern California?

4 Well, it changes with time. We have a
5 demographic shift.

6 Here we have great life in the suburbs
7 here, and San Jose is the capital of Silicon
8 Valley with dot coms and every one is moving over
9 to Los Banos, Tracy, Modesto, even down in
10 Sacramento.

11 So we don't know where that area is, but
12 you need to find the demographic center in the
13 future where the rail will be completed.

14 And to be a high-speed rail, it should
15 have only two stops; one at each end and nowhere
16 in between. Sort of like when Highway 5 was
17 built; a straight shot down the middle of the
18 state. Then people found their way at either end
19 of that highway miraculously. That's the way
20 high-speed rail should be looked at.

21 You need to consider the alternatives.
22 For instance, how much infrastructure and
23 maintenance to you need on this? What is your
24 competition?

25 And you have to look at other

PH-SJ049-1
cont

PH-SJ049-2

1 alternatives, such as, the gray hound race track.
2 A high-speed rail, if you're going to go through
3 mountains with tunnels that are fragile,
4 earthquakes, faults. Irregardless of any
5 sabotage under the national security, Home Land
6 Security basis, you're going to have to do like a
7 gray hound race track where the dogs are racing.
8 You need a little rabbit to go out in front to
9 tell it's safe for the dogs to chase behind.
10 You're going to have to clear the path.

11 You're also going to have to look at the
12 high-speed herbal(sic) that goes as a shock wave
13 around this train. How is this air going to the
14 side going to knock over the vegetation on the
15 sides of the rail? Is it going to go and knock
16 things up?

17 As you go through these tunnels, the
18 popping of the ears is going to be common. It is
19 going to be worse than on an aircraft of going up
20 and down and going through storms unless you
21 actually seal all the passenger compartments, in
22 which case you have yet another problem.

23 These are some of the things you need to
24 look at that you haven't looked at. You also
25 need to look at alternatives; such as, who's

PH-SJ049-2
cont

PH-SJ049-2
cont

PH-SJ049-3

1 going to ride the dog-gone thing? With the
2 prices that you're anticipating, with all the
3 tunnel construction and everything else, there's
4 no way anyone can afford to ride it.

5 What if the public accepts this? You
6 actually need to get the ticket cost down to
7 alternatives. People look at three different
8 alternatives.

9 Number one, their time constraints. So
10 high-speed rail will actually be competitive with
11 airlines and any other transportation media.

12 Price. It has to be within the realm of
13 reason.

14 MR. PETRILLO: Excuse me. You're going
15 over your three minutes.

16 WILLIAM GARBETT: Let me finish. It is
17 the convenience of people. Are they going to be
18 frisked down? Are they going to be hassled with
19 baggage, or can they merely buy a ticket or pay a
20 fare, such as, getting on a bus without a hassle,
21 without body cavity searches, without their
22 bodies being ransacked? Can people get on and
23 off?

24 When you solve these problems, you will
25 have a ridership. Until then it's nothing more

PH-SJ049-3
cont

PH-SJ049-3
cont

1 than shall we say a route that Rod Diridon's --

2 MR. PETRILLO: Scott Irby followed by
3 Laura Stuchimsky.

PH-SJ050

4 SCOTT IRBY: Thank you very much. My name
5 is Scott Irby, and I live in San Jose and have
6 seen these articles about the plan. I had a
7 couple comments.

8 One that I left you was exactly -- I
9 don't think it's in the EIR. But it's supposed
10 to be or not, I haven't seen any mention or
11 discussion of the infrastructure that's going to
12 support this system, power plants, and so forth.

13 Rod talks about the fact he drives a
14 electric car. That's good, but the pollution
15 from the power plant that powers the electric car
16 is somewhere. He doesn't get pollution-free from
17 an electric automobile.

18 And the system you're proposing is going
19 to be electric powered, we've had enough trouble
20 in this state to build enough power plants and
21 refineries. I'm not sure where you're going to
22 put the power plants. And if anybody has
23 followed as Rod has, the controversy about
24 Metcalf Power Plant off of Monterey Road and how
25 long that's taken to get built, you're going to

PH-SJ049-3
cont

PH-SJ050-1

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1 have to go through this whole process with all
2 those power plants.

PH-SJ050-1

3 And I don't think there's mention of
4 those or the overhead wire, the transmission
5 lines, the boost transformers, the boost
6 substations, the whole line that can support
7 this. Perhaps you can address that and answer my
8 question, What is the system going to be using?
9 Is it going to be powered by the existing grid or
10 are you going to build a separate grid to support
11 the power of the high-speed rail system?

12 With respect to Ron's dream of the light
13 rail in the valley, it's fine for part of the
14 system. But the city couldn't decide whether to
15 make a trolly loop downtown or run a commute
16 service. And it's kind of a hodge podge of both.
17 Once you're south of downtown, it's great. And
18 once you're downtown, it's one or two miles an
19 hour.

PH-SJ050-2

20 People address this issue of being a
21 commute service from the valley to here or
22 high-speed rail service. I think in Europe or
23 Japan, it's a high-speed between major cities;
24 not jump off between Tracy and here or Los Banos
25 and here or whatever. That's not the purpose. I

1 don't think it's going to work.

2 With respect to the Altamont Pass line,
3 I'm sorry that you've dropped it. I think it
4 should be reconsidered. The only problem I would
5 have is what are you going about running through
6 Niles Canyon which has not be addressed because
7 that's a tenuous route that the ACE train takes.

PH-SJ050-3

8 With respect to the issue of
9 environmentalists that have spoken up, we have
10 more than enough difficulties with them
11 complaining with respect to the BART extension to
12 the airport. Got to stop now. We found a dead
13 snake. What kind of dead snake is it. Or some
14 butterfly or flower. That costs money, and
15 somebody has to pay the freight for that. And
16 every delay is a problem.

17 I don't know what environmental groups
18 think about that, but they don't recognize their
19 own interests. They're more interested in the
20 plants or trees surviving. And we have to draw a
21 line somewhere and say, sorry. We're not going
22 to do that. We're going to run through. Or
23 you're just wasting the tax payer's money.

24 MR. PETRILLO: You're over --

25 SCOTT IRBY: Or 2015 or 2075 or 2100

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1 before it's finished. I guess that's all my
2 comments.

PH-SJ050-3
cont

3 Is there something in there about the
4 power plants infrastructure or not in the EIR?

PH-SJ050-4

5 MR. DIRIDON: I think we have to defer to
6 the staff.

7 MR. PETRILLO: They've all gone.

8 MR. DIRIDON: Dan and Kerri are in the
9 back of the room. They will answer your question
10 in the response to all of the testimony. But
11 rather than me guess, I think --

12 SCOTT IRBY: My address is up there on the
13 sheet, so if somebody wants to respond to me.

14 MR. DIRIDON: -- the gentlemen is in the
15 back of the room if you would like to talk to
16 him.

17 SCOTT IRBY: Just curious because I didn't
18 see it. This is the first meeting I've come to
19 about this project. So find a way so it makes it
20 easier.

21 MR. DIRIDON: Thank you.

22 SCOTT IRBY: Thanks again. And I don't
23 know if I'll be around long enough to ride it
24 when it gets built, but I think Altamont Pass is
25 more practical. The Niles Canyon route is slow.

PH-SJ050-5

1 If anybody has ridden through it, it goes about
2 15 for 20 miles an hour. It's not going to go in
3 the Niles Canyon.

PH-SJ050-5
cont

4 And risk of tunnels things and somebody
5 else mentioned, I think Europeans have answered
6 very successfully. And especially the French
7 train, which goes 187 miles an hour or whatever
8 the speed it is. There's little damage
9 immediately across the track.

PH-SJ050-6

10 MR. PETRILLO: Thank you.

11 SCOTT IRBY: Thank you very much.

12 MR. PETRILLO: Laura Stuchimsky followed
13 by Gerald Merrill.

PH-SJ051

14 LAURA STUCHIMSKY: Good afternoon. Thank
15 you. My name is Laura Stuchimsky, and I speak on
16 behalf of Silicon Valley Manufacturing Group. As
17 stated earlier by Carl Guardino, our organization
18 supports the construction of a high-speed rail
19 line connecting Northern and Southern California.
20 Such a line would be of enormous benefit for
21 those in California as well as visitors all
22 helping to preserve our environment.

PH-SJ051-1

23 We realize a project of this scale will
24 have an impact on the environment. It's
25 essential we choose a route that minimizes impact

PH-SJ051-2

1 but the line must also maximize the line's
2 operational efficiencies. It is essential for to
3 provide a line to entice Silicon Valley residents
4 and workers to use rail rather than cars or jump
5 on a plane. The high-speed rail needs to provide
6 fast and frequent service to Southern California.

PH-SJ051-2

7 The only way to accomplish this is
8 through a southern alignment. A southern route
9 offers the best combination of frequency, speed,
10 and ridership and consequently revenue for the
11 high-speed rail line far greater than the
12 Altamont Pass. At the same time, the Altamont
13 Pass poses environmental hurdles that are at
14 least insignificant as opposed to those by the
15 southern routes.

16 We employed your leadership on this
17 important project and look forward to seeing it
18 move forward. Thank you for considering our
19 views.

20 MR. PETRILLO: Thank you very much.
21 Gerald Merrill and followed by Walter Strakosch.

PH-SJ052

22 GERALD MERRILL: My name is Gerald
23 Merrill. I am a hiker. This spring I went once
24 again to the park. And upon coming out after a
25 week, I discovered a little brochure. I've also

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1 been a supporter of high-speed rail for many
2 years. And I had always assumed that the
3 high-speed rail which I looked forward to riding
4 some day would go through the Altamont Pass.

5 I can't express to you the horror and
6 anger I felt in discovering that a public body
7 would consider much less make a proposal to put a
8 rail rock line through a wilderness area. The
9 people of California have spoken very clearly
10 about the value of wilderness areas to the people
11 of California.

12 I live in Oakland. It takes me about an
13 hour and 20 minutes from the door until I have
14 got my backpack on and I'm going down the trail.
15 That means the whole Bay Area is within a maximum
16 of two hours from a wilderness area. A
17 wilderness area is a sacred trust. It would be
18 like building a train through a cathedral to put
19 a train in that space.

20 Please don't. That must come off the
21 table. I had always assumed it would be Altamont
22 Pass. It seems so obvious. Perhaps not. But
23 first of all, not the wilderness area and please
24 relook at the Altamont Pass. It just seems to be
25 logical. Thank you.

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cont

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1 MR. PETRILLO: Thank you.. Walter

2 Strakosch followed by Kenneth Mackay.

3 WALTER STRAKOSCH: Yes. My name is Walter

4 Strakosch. I'm retired from a 40-year career in

5 transportation including part of it in

6 railroading.

7 The purpose and need for a high-speed

8 rail system in California is stated in Paragraph

9 S3 of the summary section of the draft EIR, EIS.

10 Among other things it says, "The system needs to

11 be practicable and feasible as well as

12 economically viable. The system should maximize

13 the use of existing transportation corridors and

14 right-of-ways and be implemented in phases

15 completed by 2020."

16 The choice of the Pacheco Pass, or

17 southern routes, over the Altamont Pass knocks

18 that premise right out of the water.

19 They are presently two existing

20 right-of-ways from Bakersfield to Sacramento,

21 which could be used by high-speed rail along with

22 the existing railroads. There also exists from a

23 point where high-speed rail would leave San

24 Joaquin Valley for San Francisco via Altamont

25 Pass to existing right-of-ways.

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1 One of these is the active UP
2 right-of-way, and the other abandoned southern
3 Pacific right-of-way. In both cases they were
4 built over a hundred years ago and crooked. But
5 with today's tools of technology, I believe they
6 could be improved, straightened, and brought to
7 high-speed rail standards.

8 I would also bet that since the UP line
9 is the secondary line, that sees two freight and
10 six passenger trains a day that it could be
11 picked up cheaply from the UP and at much less
12 than the 2 billion dollar cost of the southern
13 routing.

14 The southern routing is now anointed it
15 appears and in my opinion a poor choice. Simply
16 put the southern routing will cost 2 billion
17 dollars more and require over 100 miles of new
18 right-of-way over virgin and in some cases
19 sensitive environmental territory. In my opinion
20 it does nothing, and in fact detours total
21 ridership.

22 The largest intercity travel market in
23 the state is between the Central Valley and other
24 major metropolitan areas. The second is between
25 LA and San Diego. The third highest is between

PH-SJ053-1
cont

1 Sacramento and San Francisco. And the next is
2 between LA and San Francisco.

3 The Pacheco Pass ignores Sacramento/ San
4 Francisco routing and eliminates medium haul
5 traffic and also traffic that can be diverted
6 from between San Francisco in the San Francisco
7 International Airport and Stockton, Modesto, and
8 Merced. With the pressure on San Francisco
9 International to make the best use of take-off
10 and landing slots by eliminating short haul
11 flights, this could also be a significant issue.
12 Thank you.

13 MR. PETRILLO: Kenneth Mackay.

PH-SJ054

14 KENNETH MACKAY: Thank you for letting me
15 speak. My name is Kenneth Mackay. I'm a
16 resident of San Jose and property owner in the
17 area near the Orestimba Wilderness. My
18 understanding of an EIR hearing is to consider
19 the adequacy of the EIR as it's presented. The
20 EIR is supposed to consider the pros and cons of
21 the reasonable alternatives.

22 As I understand from one of earlier
23 speakers, the Altamont Pass was rejected by the
24 Authority for -- because it would reduce the
25 ridership by about five percent over the southern

PH-SJ053-1
cont

PH-SJ054-1

1 alternatives. But by law the EIR is supposed to
2 consider the no-project area which would reduce
3 the ridership by a hundred percent. So the EIR
4 is inadequate in that it doesn't consider the
5 Altamont Pass alternative.

PH-SJ054-1

6 The Chairman mentioned that some of the
7 environmental groups are in favor of the Pacheco
8 Pass route from the stuff brought in the hall.
9 They are in favor of the Pacheco Pass route,
10 because it's the best of a bad lot. And if the
11 Altamont Pass were on the table, they would
12 also -- they would be in favor of that one.

13 MR. PETRILLO: If I were to comment on
14 what I heard here today, all of the routes are
15 considered a bad lot including Altamont. We're
16 going to have a tough time making a decision.

17 KENNETH MACKAY: Well, we don't know what
18 the Altamont Pass route would be, because there's
19 nothing discussed about it in the EIR.

PH-SJ054-1
cont

20 MR. DIRIDON: That's not true.

21 MR. PETRILLO: Not exactly true, and
22 people have opposed the Coe based upon policy
23 reasons. And you could --

24 KENNETH MACKAY: And legal reasons.

25 MR. PETRILLO: The Henry Coe. And I'm

1 saying it's not particularly relevant what's
2 discussed in there. What I'm saying, what I've
3 heard tonight is that there have been serious
4 objections to every alternative including the
5 Altamont alternative. I know you support the
6 Altamont alternative, but there are others that
7 to not. That's all I'm saying.

8 KENNETH MACKAY: I understand that, but
9 the one thing about the EIR is that the three of
10 the northern -- the northern alternatives and the
11 southern group are all environmentally sensitive
12 areas. They do, as other speakers have
13 mentioned, are home to all sorts of endangered
14 species. I have been there over the last 25
15 years many times, and it's an area that would be
16 destroyed by this if the train went through
17 there.

18 The other speakers have mentioned that
19 the state law would have to be amended or
20 repealed, and it would have to be amended or
21 repealed if the Coe alternative was considered,
22 which would cause a lot of -- which would be
23 difficult for the Authority to get past I'm sure.
24 Anyhow, thank you for your time.

25 MR. PETRILLO: Thank you. That was the

PH-SJ054-2

1 last comment. Thank you all for coming. As I
2 said, we have our work cut out for us given the
3 comments today. And, however, we will try to do
4 the best we can, and I thank you all for your
5 input.

6 MR. DIRIDON: Mr. Chairman, may I thank
7 you and the Board for coming to San Jose today
8 and being available to the public in our area to
9 hear the testimony that you've received. Thank
10 you.

11 (Whereupon, the hearing was concluded at
12 4:15 p.m.)

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1 STATE OF CALIFORNIA.)

2) ss.

3 COUNTY OF SANTA CLARA)

4

5

6 I, LISA M. HELGOE, CSR No. 12216, HEREBY

7 CERTIFY: That I was the duly appointed,

8 qualified shorthand reporter in the

9 above-entitled action taken on the above-entitled

10 date; that I reported the same in machine

11 shorthand and thereafter had the same transcribed

12 through computer-aided transcription as herein

13 appears; and that the foregoing typewritten pages

14 contain a true and correct transcript of the

15 proceedings had in said matter at said time and

16 place to the best of my ability.

17 DATED:

18

19

20 Lisa M. Helgoe, CSR,
21 Certificate No. CSR 12216

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